

Filed for intro on 04/10/2000

SENATE BILL 3298

By Burchett

AN ACT to amend Chapter 1 of the Acts of 1907; Chapter 277 of the Private Acts of 1913, as amended by Chapter 27 of the Private Acts of 1989; and Chapter 54 of the Private Acts of 1939; and any other acts amendatory thereto, relative to duties of the clerks of the various courts in Knox County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 1 of the Acts of 1907, and all acts amendatory thereto, is amended by designating Section 5 as subsection (a) and by adding the following language to be designated as subsection (b):

(b) The Clerk of the Criminal Court of the County shall act as the Clerk of the Court of General Sessions for the purpose of overseeing the court's criminal docket, and when acting as Clerk of such court in that capacity shall be designated "Clerk of Court of General Sessions of Knox County, Criminal Division". Such Clerk is hereby authorized to perform the duties of the criminal division of such court. The fees, commissions and emoluments of the criminal division of such court of General Sessions shall constitute a part of the fees, commissions and emoluments of the office of the Clerk of the Criminal Court of the County. The Clerk of the Criminal Court shall receive no additional

compensation for his services; however, such deputies and assistants as may be necessary for the proper operation and administration of the duties of such office shall be appointed and compensated in the same manner as now provided by law for the appointment and compensation of deputy Criminal Court clerks.

SECTION 2. Section 14 of Chapter 54 of the Private Acts of 1939, and all acts amendatory thereto, is amended by deleting the first paragraph in its entirety, and by substituting instead the following language:

Section 14. *Be it further enacted,* That the Clerk of the Circuit Court of the County shall act as the Clerk of the Court of General Sessions for the purpose of overseeing the court's civil docket, and when acting as Clerk of such court in that capacity shall be designated "Clerk of Court of General Sessions of Knox County, Civil Division". Such Clerk is hereby authorized to perform the duties of the civil division of such court. The fees, commissions and emoluments of the civil division of such court of General Sessions shall constitute a part of the fees, commissions and emoluments of the office of the Clerk of the Circuit Court of the County. The Clerk of the Circuit Court shall receive no additional compensation for his services; however, such deputies and assistants as may be necessary for the proper operation and administration of the duties of such office shall be appointed and compensated in the same manner as now provided by law for the appointment and compensation of deputy Circuit Court clerks.

SECTION 3. Chapter 277 of the Private Acts of 1933, as amended by Chapter 27 of the Private Acts of 1989, and all acts amendatory thereto, is amended in the new section added by Chapter 27 of the Private Acts of 1989 (Section 6 in the compilation of Chapter 277 of the Private Acts of 1933 and all acts amending such act) by deleting the words "and General Sessions Court" in the first and second paragraphs; by deleting the language ", General Sessions," in the third paragraph; and by deleting the language ", General Sessions Court Clerk," in the fourth paragraph.

SECTION 4. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Knox County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Knox County and certified to the secretary of state.

SECTION 5. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 4.